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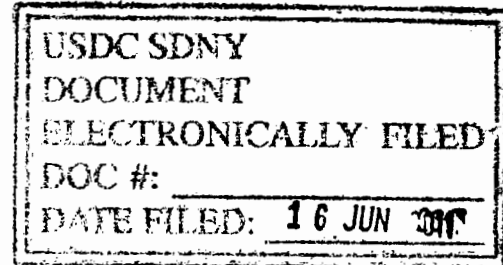
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June 15, 2011



## BY FACSIMILE (212-805-0426)

The Honorable Laura Taylor Swain  
 United States District Court  
 Southern District of New York  
 Daniel Patrick Moynihan United States Courthouse  
 500 Pearl Street  
 New York, New York 10007

# MEMO ENDORSED

Re: *Lenworth Smith and Yves Toussaint v. J.P. Morgan Chase Bank, et al.*,  
 Case No. 10-CV-1773 (LTS) (AJP)

Dear Judge Swain:

This firm represents Defendants in the above-referenced action. We write to request an extension of time, from June 27 to July 12, 2011, for Defendants to file their motion for summary judgment. The parties are actively engaged in settlement discussions and require the additional time to continue negotiations without the distraction and expense of motion practice. Defendants have not previously requested an extension of this deadline, and the requested extension will not affect any other scheduled dates.

Plaintiffs were previously represented by counsel in this action, but their counsel was permitted to withdraw, and they are currently proceeding *pro se*. However, they are represented by counsel, Michael Jude Jannuzzi, Esq., in two similar actions pending in New York Supreme Court. Mr. Jannuzzi has advised us that Plaintiffs do not oppose this extension of Defendants' summary judgment deadline.

On behalf of Defendants, we thank the Court for its consideration of this request.

*The requested extension is granted.*

Respectfully submitted,

**SO ORDERED.**

SEYFARTH SHAW LLP

NEW YORK, NY

*June 15, 2011*  
 LAURA TAYLOR SWAIN  
 UNITED STATES DISTRICT JUDGE Hema Chatlani

cc: Michael Jude Jannuzzi, Esq. (via fax)  
 Lenworth Smith, *pro se* (via U.S. mail)  
 Yves Toussaint, *pro se* (via U.S. mail)